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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,599	04/14/2004	Richard J. Fine	56406.0002	6238

7590 01/12/2006

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Washington, DC 20036

EXAMINER

THAI, CANG G

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/823,599	FINE, RICHARD J	
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/15/2005 has been entered.

Response to Amendment

2. The amendment filed on 12/15/2005 has been entered. Claims 1-20 are active and are rejected as followed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. 2003/0182212 (MOSCONE ETAL).

As for Claim 1, MOSCONE discloses a method for linking business interests, comprising the steps of:

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- a) receiving postings of business venture assets to a provider {Page 1, Paragraph [0006], Lines 5-7, wherein this reads over “receiving at the server system business information relating to at least one second business entity through the client system”};
- b) providing to a customer access to said postings via a business agreement with the provider {Page 2, Paragraph [0035], Lines 2-10, wherein this reads over “The network based BICS provides convenient access to business information, including at least one of an industry, a segment, a company name, a deal, operating metrics, cash flow statements, availability analysis, covenant compliance, coverage ratios, financial statements, capital structure, income statements, leverage, collateral, guarantors, liquidation value, equity valuation, and other documents and information relating to the financial condition of the Analyzed Business”};
- c) linking customer to business venture assets, wherein the business venture assets are well suited to create new businesses when combined {Page 7, Paragraph [0073], Lines 10-15, wherein this reads over “the plurality of current asset data fields may be linked together and may have a formula assigned to the data fields through the linking such that each value entered into the plurality of current asset data fields is totaled and displayed in Current Assets data field 464”}.

As for Claim 2, MOSCONE further discloses business venture assets consist of a group including equipment, real estate, intellectual property, technical expertise,

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material inventories, purchase agreements, product purchases, and investment capital {Page 7, Paragraph [0073], Lines 2-10, wherein this reads over "interface 420 also includes a Current Assets data field 464 followed by a plurality of current asset data fields including: Cash & Cash Equivalents 466, Restricted Cash 468, Accounts Receivable 470, Accounts Receivable/Amounts Due from Subsidiaries 472, Less Allowance for Doubtful Accounts 474, Interest Receivable 476, Other Receivables 478, Inventories & Supplies 480, Prepaid Expenses 482, Income Taxes Receivables 484, Other Current Assets 486, and Non-Standard Add-Ons 488"}.

As for Claim 3, MOSCONE further discloses the steps of the customer negotiating the linked business venture assets {Page 8, Paragraph [0073], Lines 15-17, wherein this reads over "pull-down fields 421 may be linked together such that the options displayed in a subsequent pull-down field may be based on the option selected in a prior pull-down field"}.

As for Claim 4, MOSCONE further discloses the linking step consists of the customer creating item selection criteria {Page 2, Paragraph [0035], Lines 2-10, wherein this reads over "The network based BICS provides convenient access to business information, including at least one of an industry, a segment, a company name, a deal, operating metrics, cash flow statements, availability analysis, covenant compliance, coverage ratios, financial statements, capital structure, income statements, leverage, collateral, guarantors, liquidation value, equity valuation, and other documents and information relating to the financial condition of the Analyzed Business"}.

As for Claim 5, MOSCONE further discloses the step of customer providing item selection criteria to the provider {Page 2, Paragraph [0035], Lines 10-15, wherein this reads over “users are authorized to gain access into the BICS, and once the BICS home page is accessed, the user will be able to choose from a list of industries, business segments, companies and deals that relate to a specific Analyzed Business and for which the user has been granted access”}.

As for Claim 6, MOSCONE further discloses the step of the provider providing items indicated by the item selection criteria to the customer {Page 2, Paragraph [0035], Lines 15-18, wherein this reads over “once the user selects the company and the deal to be reviewed, the user can review business information relating to the Analyzed Business associated with the selected deal”}.

As for Claim 7, MOSCONE discloses the provider utilizes a computer system to implement the linking business venture assets {Page 7, Paragraph [0073], Lines 10-15, wherein this reads over “the plurality of current asset data fields may be linked together and may have a formula assigned to the data fields through the linking such that each value entered into the plurality of current asset data fields is totaled and displayed in Current Assets data field 464”}.

As for Claim 8, MOSCONE further discloses the computer system uses the Internet in the form of a web portal {Page 3, Paragraph [0036], Lines 10-11, wherein this reads over “the system is web enabled and is operated via the Internet”}.

As for Claim 9, which has the same limitations as in Claim 1, therefore, it is rejected for the similar set forth in Claim 1.

As for Claim 10, which has the same limitations as in Claim 2, therefore, it is rejected for the similar set forth in Claim 2.

As for Claim 11, which has the same limitations as in Claim 3, therefore, it is rejected for the similar set forth in Claim 3.

As for Claim 12, which has the same limitations as in Claim 4, therefore, it is rejected for the similar set forth in Claim 4.

As for Claim 13, which has the same limitations as in Claim 5, therefore, it is rejected for the similar set forth in Claim 5.

As for Claim 14, which has the same limitations as in Claim 6, therefore, it is rejected for the similar set forth in Claim 6.

As for Claim 15, which has the same limitations as in Claims 1 and 9, respectively, therefore, it is rejected for the similar set forth in Claims 1 and 9, respectively.

As for Claim 16, which has the same limitations as in Claims 2 and 10, respectively, therefore, it is rejected for the similar set forth in Claims 2 and 10, respectively.

As for Claim 17, which has the same limitations as in Claims 3 and 11, respectively, therefore, it is rejected for the similar set forth in Claims 3 and 11, respectively.

As for Claim 18, which has the same limitations as in Claims 4 and 12, respectively, therefore, it is rejected for the similar set forth in Claims 4 and 12, respectively.

As for Claim 19, which has the same limitations as in Claims 5 and 13, respectively, therefore, it is rejected for the similar set forth in Claims 5 and 13, respectively.

As for Claim 20, which has the same limitations as in Claims 6 and 14, respectively, therefore, it is rejected for the similar set forth in Claims 6 and 14, respectively.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

- 1) U.S. Patent Application Publication No. 2003/0200168 (CULLEN, III ET AL) is cited to teach computer system and method for facilitating and managing the project bid and requisition process, and
- 2) U.S. Patent Application Publication No. 2002/0188537 (LEEDS ET AL) is cited to teach management systems and methods for maximizing return on assets,

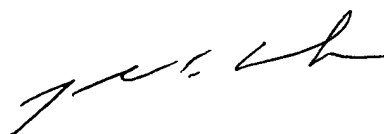
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
01/06/2006



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